

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

JAMES SADLER,

Plaintiff,

vs.

Case No: 1:22-cv-02203-STA-jay

TYSON FOODS, INC.,

Defendant.

DECLARATION OF J. GREGORY GRISHAM

I, J. Gregory Grisham, hereby make the following Declaration in support of Defendant's Motion to Enforce Settlement and Dismiss with Prejudice as follows:

1. I am over the age of 21 and make this declaration based on personal knowledge.
2. On January 6, 2023, the parties reached a settlement of Plaintiff's claims against Defendant. (1-6-2023 correspondence attached as Collective Exhibit 1.).
3. Plaintiff not returning to work with Defendant was a material term of the settlement. (Exhibit 1).
4. The depositions scheduled for the week of January 9, 2023, including Plaintiff's deposition, were canceled after the settlement was reached.
5. On January 26, 2023, I sent via email a Settlement Agreement, General Release and Waiver ("Agreement") to Counsel for Plaintiff to review and for execution by Plaintiff. (1-26-2023 Email and Agreement attached as Collective Exhibit 2).

6. In an email dated January 30, 2023, Counsel for Plaintiff responded to the January 26, 2023, email and requested one change to the Agreement, namely that the no-reemployment provision be removed. (1-30-2023 Email attached as Exhibit 3).

7. In an email dated February 5, 2023, I responded to the January 30, 2023, email and advised that the Defendant was not agreeable to the requested change. (2-5-2023 Email attached as Exhibit 4).

8. On February 15, 2023, I sent an email to Plaintiff's Counsel stating "[j]ust following up since I haven't heard back from you. We need to get the settlement agreement finalized and the case dismissed, since we settled the case over a month ago." (2-15-2023 Email attached as Exhibit 5).

9. I received an email from Plaintiff's Counsel later on February 15 asking me to give her a call and a telephone conference was held on February 16, 2023.

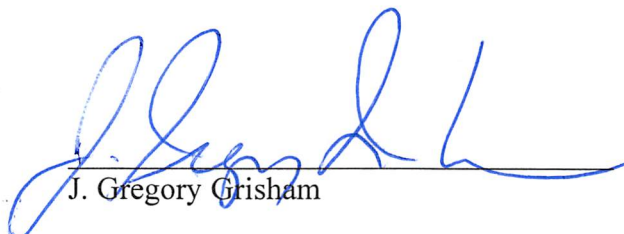
10. During the call Plaintiff's Counsel advised, among other things, that Plaintiff had changed his mind and decided he did not want to settle the case and confirmed that she had authority from Plaintiff on January 6, 2023 to settle the case.

11. I advised Plaintiff's Counsel that Defendant would be filing a Motion to Enforce Settlement.

12. The documents attached as Exhibits 1 through 5 are true and correct copies of the original electronic documents.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 23, 2023.


J. Gregory Grisham